REMARKS

Applicant thanks the Examiner for consideration given the present application. Claims 1-7 and 9-13 are presently pending. Claim 8 has been canceled. Claims 1 and 7 are independent. Claims 1-4, 6, 7 and 9-12 have been amended. Applicant respectfully requests reconsideration of the rejected claims in light of the amendment and remarks presented herein, and earnestly seeks timely allowance of all pending claims.

Specification

The title is objected as being not descriptive. Applicant thanks the Examiner for the suggested title. Applicant has amended the title to read "Transmitting Device and Receiving Device for Controlling Signals".

Thus, it is respectfully requested that this objection be withdrawn.

Claim Rejections under 35 U.S.C. § 103 – Koichi, Ohgami

Claims 1-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koichi et al. ("Koichi", JP 2001-177462) in view of Ohgami et al. ("Ohgami", U.S. 2003/0120742). This rejection is respectfully traversed.

Koichi discusses a relay station control technique used by a disaster-prevention radio system (*See ¶1*). More specifically, Koichi sets up local stations and other stations to "smooth" the tone signals in order to relay tone signals (*See ¶2*). Thus, Koichi is aimed at improving tone quality and preventing tone (*See ¶3*).

Ohgami discusses transmitting signals and converting channel signals into data signals (*See Abstract*).

Amended independent claim 1 recites, *inter alia*, "**wherein said transmitting unit further transmits a signal indicating that the data transmission of the received data is prohibited**". Independent claim 7 also similarly expresses this feature. The Examiner relies on Koichi to teach this feature. However, this feature is clearly not taught or suggested by either

Koichi or Ohgami, alone or in combination. In Koichi, the "response signal" informs the master station of whether the relay station is open or closed, when the mobile unit is opened or closed in accordance with the instruction from the master station (*See ¶12 and 35*). Further, in Koichi, the signal indicating the blockade of the relay station is transmitted *to the master station* which gives the instruction associated with the blockade.

Koichi is clearly different from the claimed invention. In the claimed invention, the signal indicating the prohibition of the data transmission by the transmitting unit is transmitted *to the device in the receiving side.* If the feature "*said transmitting unit further transmits a signal indicating that the data transmission of the received data is prohibited*" is applied to Koichi, then such a signal should be transmitted to the mobile unit in Koichi. However, Koichi does not teach this feature since *the signal is transmitted to the master station instead.* Moreover, Ohgami does not remedy this deficiency.

Amended independent claim 1 recites, *inter alia*, "**a control unit (i) prohibiting, when a first instruction is received, the data transmission of the received data performed by the transmitting unit, and (ii) permitting, when a second instruction is received, the data transmission having been prohibited**". The Examiner admits that Koichi does not teach receiving or transmitting data. The Examiner relies on Ohgami to teach this feature. However, the combination of Koichi and Ohgami fail to render the above-mentioned claim feature obvious.

There is no discussion of *prohibiting data transmission of received data* when *a first instruction* is received. Koichi simply discusses "a blockade of a relay station" with respect to radio signals transmitted among several intermediary stations (*See ¶5*). Ohgami does not remedy this deficiency since Ohgami simply discusses transmitting and receiving audiovisual data. There is no discussion in either Koichi or Ohgami of *prohibiting data transmission of data that has been received, based on a first instruction.*

Moreover, as there is no discussion of prohibiting data transmission when a first instruction received, as discussed above, there is also no discussion in either Koichi or Ohgami of *receiving a second instruction* and subsequently allowing *the previously prohibited data to be transmitted.* While Koichi discusses opening a relay or blockade of a relay, which the Examiner

relies to teach data transmission based upon an instruction, there is no discussion of the above-mentioned features in Koichi or Ohgami, alone or in combination.

Independent claim 7 recites, inter alia, "**an operation unit for enabling modification of various settings of said wireless communications system**". Though Koichi discusses enabling relay settings, there is no discussion of *enabling modification* of *various settings* of said wireless communication. Ohgami does not remedy this deficiency.

Moreovoer, independent claim 7 recites, "**a switching operation signal for a purpose of switching a communications status of the antenna of at least one of said transmitting device and receiving device, between a communications-enabled status and a communications-disabled status, and said transmitting or receiving device includes a control unit for controlling the antenna to be the communications-enabled status or communications-disabled status, when the switching operation signal is received via the operation signal receiving unit**". The Examiner relies on Koichi to teach this feature. However, Koichi does not discuss this feature. Koichi simply discusses a MSK control signal which controls processing of tone signals between relay stations, not "a switching operation signal for a purpose of switching a communications status of the antenna of at least one of said transmitting device and receiving device". In fact, Koichi does not even discuss antennas. Ohgami does not remedy this deficiency since there is no discussion of "controlling the antenna to be the communications-enabled status or communications-disabled status, when the switching operation signal is received via the operation signal receiving unit".

For at least the reasons stated above, independent claims 1 and 7 are patentably distinct from Koichi and Ohgami. Claims 2-6 and 8-13 are at least allowable by virtue of their dependency on corresponding allowable independent claim.

Accordingly, it is respectfully requested to withdraw this obviousness rejection of claims 1-13 based on Koichi and Ohgami.

CONCLUSION

Entry of the above amendments is earnestly solicited. An early and favorable first action on the merits is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Charu K. Mehta, Reg. No. 62,913, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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